

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

TA-6980-2018 (O&M)
Date of decision: 22.07.2019

Reena

...Applicant

Versus

Deepak Kumar @ Deepak

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Harjinder Singh, Advocate for the applicant.

None for the respondent.

H.S. MADAAN, J. (Oral)

This application for transfer of divorce petition, titled 'Deepak Kumar @ Deepak Vs. Reena' pending in the Court of District Judge, Hoshiarpur to the Court of competent jurisdiction at Kapurthala, has been filed by applicant Reena, aged about 31 years, estranged wife of respondent Deepak Kumar @ Deepak, presently residing with her father at Kapurthala, on account of matrimonial differences between the parties.

According to the applicant, the marriage solemnized between the parties on intervening night of 10/11.03.2013 did not work. However, the couple was blessed with a daughter, namely, Baby Anu and a son, namely Master Hani. Presently, the applicant is residing with her father at Kapurthala. She has filed a petition under Section 125 Cr.P.C. for maintenance for herself as well as her minor children, who are residing with her. Under the circumstances, it is difficult for the applicant to travel

from her parental place to Hoshiarpur to attend the dates of hearing in the Court there, covering a distance of about 70 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who had put in appearance through counsel but today nobody has appeared on his behalf in Court.

I have heard learned counsel for the applicant besides going through the record.

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant, in which I find merit, in absence of any strong circumstance to the contrary, it would be proper and appropriate, if the application is accepted. The same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of District Judge, Hoshiarpur and transferred to the Court of learned District Judge, Kapurthala for disposal in accordance with law. Learned District Judge, Kapurthala may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties are directed to appear in the transferee Court on 23.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

22.07.2019

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**(H.S. MADAAN)
JUDGE**

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No